(a) whether there is any convention, rule or understanding that school teachers should be posted as near to their native places as possible;

(b) is this rule being strictly followed;

(c) whether the Government are willing to extend the same concession to the minor officers of the other departments also?

Mr. I. N. Menon.— (a) There is no convention or rule but it is the principle on which postings are usually made.

(b) This principle is followed as far as possible. There are usually numerous applicants for transfer to the same station and it is obviously not possible to satisfy all of them.

(c) May be extended if and when found possible.

Mr. P. Raman Menon.—Especially in the case of female teachers is it not absolutely essential that they should be posted near their native places?

Mr. I. N. Menon.—I agree with that. As a matter of fact every effort is made in that direction. There is more than one applicant for the same place. Then we have to provide one for some time and after some time revert that person and send the other person. That is always done.

Mr. P. Raman Menon.—There will be neighbouring schools to which lady teachers may be given preference.

Mr. I. N. Menon.—I assure the Hon'ble Member that it has been the aim of the Department. If there has been any unconscious deviation from that I am certain that if it is brought to my notice it will be rectified.

Law of libel—amendments to.

218. **Mr. K. M. Ibrahim.**—Adverting to the provisions in the English Law of Libel, namely, 'But although libel is a criminal offence as well as an actionable wrong, a man whose private character has been attacked should not institute criminal proceedings unless the words are of a kind calculated to provoke a breach of the peace. If he does so, the judge will direct the grand jury to throw out the bill of indictment and leave the prosecutor to pursue his civil remedy' (Vide page 998, Volume 13, Encyclopaedia Britannica, Fourteenth Edition), will the Government state (a) why our Law has not been brought into line with the said provision ;

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(b) what they intend to do in the matter ?

Mr. Thomas Manjuran:—(a) The Government did not consider that the law of libel, as it exists in Cochin, should be brought into line with English law. Cochin law on the point is in accord with British Indian law. The Hon'ble Member is referred to paragraph 5621 of Dr. Gour's Penal Law of India for an explanation of the departure made in British India from the English law. The arguments contained in that paragraph apply with equal force to Cochin also.

(b) The Government do not intend to do anything in the matter.

Mr. K. M. Ibrahim.—Is this book available in the Council Library.

Mr. Thomas Manjuran—I do not know. But I have just supplied a volume to the Hon'ble Member.

Mr. K. M. Ibrahim.—That is a very very short notice. I had not the time to go through it. In as much as this disparity has been brought to the notice of the Hon'ble Member at least now will he remedy this disparity ?

Mr. Thomas Manjuran.—Certainly not. That disparity should not be removed in the opinion of the Government.

Mr. K. M. Ibrahim.—It is indeed very sad. Is not the Cochin and Travancore Penal Laws based mainly on the English Law ?

Mr. Thomas Manjuran.—Yes.

Mr. K. M. Ibrahim.—So where is the justification for this fundamental departure ?

Mr. Thomas Manjuran.—There are several departures like this which are considered to be more suitable to suit certain conditions. I find this particular departure has been made here and Dr. Gour gives a complete explanation.

Mr. K. M. Ibrahim.—I have read it, Sir, and I find it is a very weak case.

Mr. President.—It is a matter of opinion.

Mr. K. M. Ibrahim.—Is it not a feature of the evolutions in all systems of law to prominise the Civil side to the detriment of the Criminal ?

Mr. President.—It is a matter of opinion.

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Mr. K. M. Ibrahim.—No, Sir. Are not the Government aware of the fact that honorous associations with the liberty of the Press and honest opinions in public interests.....

Mr. Thomas Manjuran.—Government are not aware that libel is associated with liberty. Law of libel has something to do with the freedom of expression.

Mr. K. M. Ibrahim—Shall every blooming humbug be allowed to proceed criminally against a person for his misdemeanours to the publicat large? The point I am bringing to the notice of the Government is that there is no necessity in taking away the provision in the English Law because there are cogent reasons.

Mr. President.—The Hon'ble Member I think wants to have an argument on that point. He is not asking for information. He must table a motion on the subject and discuss the point.

Revenue and expenditure—Azhikode, Eriyad, Methla, etc., villages.

219. Mr. K. M. Ibrahim:—Will the Government state.—

(1) the revenue raised from the villages of Azhikode, Eriyad, Methala, Lokamaleswaram and Pullut of Cranganur; and-

(2) the amount spent by the Government in each of them in 1110?

Mr. K. Achyuta Menon.—

	Rs. A. P.
(1) Pullut	5,123—9—9
Lokamaleswaram	4,704—6—11
Methala	9,080—0—6
Eriyad	8,399—1—6
Azhikode	8,079—0—2

Note.—The above figures show the land revenue realised up to the end of Mithunam 1110.

(2) Separate accounts of expenditure for each of the villages are not availabe

Mr. K. M. Ibrahim.—Sir, will the Hon'ble Revenue Member tell me whether it is not desirable to keep such regional accounts in the village accounts to know whether Government

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